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10/17/02 09 39 AM

To Cynthia Kawakami/R5/USEPA/US@EPA, JohnJ
OGrady/R5/USEPA/US@EPA, Bradley Benning/R5/USEPA/US@EPA,
Joseph Dufficy/R5/USEPA/US@EPA, robert.darnell@usdoj.gov,
georgia.vlahos@cnet.navy.mil
cc "Steve Beverly (E-mail)" <beverlysa@efdsouth.navy.mil>,
"Anthony Robinson (Efdsouth) (E-mail)"
<RobinsonAB@efdsouth.navy.mil>, "Taylor, Robert CIV
(LITOFF)" <Robert.Taylor3@navy.mil>
Subject RE R Lavin Property - North Chicago, Illinois

Cynthia/EPA/NAVFAC SouthDiv--

Thanks for forwarding this, Cynthia. Do EPA and NAVFAC, SouthDiv agree with the City of North Chicago's representations made to the State in this letter, especially the bottom line conclusion that "there is no impact originating from the R Lavin site"? When they say "no impact originating from the R Lavin Site" I'm not sure if they mean "to the environment," in general, or only to off-site groundwater? In other words, do they mean no impact to surface water (i.e., Pettibone Creek)? And is this letter also implying to the State there is no impact from wind-blown or surface runoff releases from soil to groundwater?

Also, are their conclusions about the background wells valid in the CERCLA context? Can you tell me if the point of compliance for RCRA purposes is limited to the vicinity of the regulated unit and was not adjusted to account for possible contribution to an off-Lavin CERCLA site like Pettibone Creek? In other words the RCRA program is looking at one groundwater snapshot onsite, but it is possible that higher concentrations have already migrated to surface water and were left by EPA and/or the State to be resolved later as a regional Pettibone Creek issue? If so, then I think the letter is misleading, especially to the City of North Chicago who may think this is a "clean bill of health."

Finally, can someone tell me if, under 40 CFR §264.148 (Incapacity of owners or operators, guarantors, or financial institutions), Lavin actually has a surety or other financial responsibility guarantor for closure and post-closure that is different from the pool of insurance companies that is currently being pursued by the Creditors' Committee?

Thanks --Perry

-----Original Message-----

From Kawakami Cynthia@epamail.epa.gov
[mailto:Kawakami.Cynthia@epamail.epa.gov]

Sent Wednesday, October 16, 2002 5:52 PM

To OGrady JohnJ@epamail.epa.gov, Benning Bradley@epamail.epa.gov,
Dufficy Joseph@epamail.epa.gov, robert.darnell@usdoj.gov, Sobel, Perry
OGC, georgia.vlahos@cnet.navy.mil
Subject R Lavin Property - North Chicago, Illinois

US EPA RECORDS CENTER REGION 5



400272

Hello everyone, this was sent to me this afternoon by Jeff Jeep
Apparently, the City is still trying to resolve issues with the State,
and, perhaps still redevelop the R Lavin Site I'll pass along
information as it arrives Thanks. Cynthia
----- Forwarded by Cynthia Kawakami/R5/USEPA/US on 10/16/02 04 46 PM

"Jeffery D
Jeep" To "Joseph E Svoboda"
<jdjeep@amerittec <joseph.svoboda@epa.state.il.us>
h.net> cc Chuck Gunnarson <EPA8823@epa.state.il.us>, Don
Gimbel <dona1d.gimbel@epa.state.il.us>, Robert Long
10/16/02 04 16 <bob7long@lnd.com>, Rob May <robmay@northchicago.org>,
PM "Kenneth W Funk" <funk@dlcc.com>, Cynthia
Please respond Kawakami/R5/USEPA/US@EPA
to jdjeep Subject R Lavin Property - North Chicago, Illinois

Dear Joe,

This follows my email of October 7, 2002

Please find enclosed a letter from Ronald E Hutchens to Joyce Muncie
dated November 12, 2001 transmitting groundwater monitoring results for
the Lavin property (The letter is enclosed as an Acrobat Reader file)
A copy of the report was also sent to Howard Chinn at the Office of
Attorney General We assume that you have a complete copy of the report
in your files Please let us know if you would like us to send another
copy

Hutchens concludes "there is no impact [to groundwater] originating from
the R Lavin Site " We also direct your attention to Table 1 of the
Environ report, "Groundwater Elevations" The highest elevation for
groundwater (16.6 feet) was found at the north end of the Lavin
Property (We enclose Table 1 for your convenience) The elevation of
groundwater goes down at the southern end of the property -- the
location of the drainage ditch

The Environ report is consistent with the measurements of the depth of
groundwater taken by Mostardi Platt in March 2001 (which we transmitted
to you via electronic mail on October 7, 2002)